

## Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 00333 191621Z

ACTION EB-07

INFO OCT-01 IO-13 ISO-00 SSO-00 OIC-02 SS-15 SP-02 L-03  
INR-07 INRE-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10 SIL-01  
/094 W

-----191636Z 098682 /42

O 191527Z JAN 77

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4614

LIMITED OFFICIAL USE GENEVA 0333

STADIS////////////////////////////////

PASS EB/MA FOR R. K. BANK

E.O. 11652: N/A

TAGS: UNCTAD, EGEN, PORG

SUBJECT: RESUMED THIRD SESSION, UNCTAD IPG ON MULTIMODAL  
TRANSPORT - REQUEST FOR AUTHORITY FOR US DEL TO WALK OUT

1. ON MONDAY, JAN 17, G-77 SPOKESMAN (NAJERA, MEXICO)  
DELIVERED LENGTHY STATEMENT ON SOCIAL AND ECONOMIC IM-  
PLICATIONS OF MULTIMODAL TRANSPORT WHICH CONTAINED LONG  
LIST OF G-77 PROPOSALS FOR INCLUSION OF PUBLIC LAW  
PROVISIONS IN NEW CONVENTION. G-77 POINTS INCLUDED  
MANDATORY CONSULTATIONS AMONG MTOS, SHIPPERS AND PUBLIC  
AUTHORITIES CONCERNING INTRODUCTION OF MT SERVICES;  
COMPATIBILITY WITH CODE OF CONDUCT FOR LINER CONFERENCES  
TO ENSURE EFFECTIVENESS OF CODE CONTROLS OVER FREIGHT  
RATES AND OF NATIONAL CARGO RESERVATIONS; MANDATORY  
ACCEPTANCE BY COMMERCIAL BANKS OF NEGOTIABLE DOCUMENTS  
ISSUED BY MTOS OF DEVELOPING COUNTRIES; FULL UTILIZATION  
OF LOCAL LABOR BY MTOS IN DEVELOPING COUNTRIES; LICENSING  
AND CONTROL OF MTOS BY NATIONAL GOVERNMENTS AND MINIMUM  
QUALIFICATIONS OF MTOS; AND AN INSURANCE SYSTEM RE-  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 00333 191621Z

QUIRING MANDATORY DEVELOPING COOUNTRY MARKET OVER ALL  
CARGO INSURANCE, PLUS COMPLETELY NEW MANDATORY INSURANCES  
FOR FIDELITY GUARANTEE AND FOR CIVIL LIABILITY ALSO  
ENTIRELY IN LDC MARKET.

2. G-77 ALSO CONTINUES TO PRESS FOR INCLUSION OF  
CUSTOMS PROVISIONS, ALTHOUGH G-77 PAPER ON THIS SUBJECT

HAS NOT YET BEEN FORMALLY INTRODUCED.

3. DISCUSSIONS OF DOCUMENTATION QUESTIONS IN IPG'S WORKING GROUP HAVE MADE CLEAR THAT G-77 COMMITTED TO A CONVENTION MANDATORY FOR ALL MULTIMODAL MOVEMENTS. G-77 SPOKESMAN HAS ALSO MADE CLEAR IN WORKING GROUPS THAT G-77 VIEWS EVENTUAL CONVENTION AS A DEVICE TO ASSIST DEVELOPING COUNTRIES IN MAINTAINING OR EXTENDING CARGO AND INSURANCE ALLOCATION SYSTEMS. G-77 HAS THEREFORE CONTINUED TO INSIST UPON INCLUSION OF COMMERCIAL INFORMATION IN MT DOCUMENT REGARDING VALUE OF GOODS, DETAILS OF INSURANCE, ROUTES AND VESSELS USED. SUCH INFORMATION NOT NECESSARY TO MTO, BUT HELPFUL TO LDCS IN POLICING CARGO AND INSURANCE ALLOCATION SCHEMES.

4. IN SUM, G-77 IS EFFECTIVELY DEMANDING A SORT OF CODE OF CONDUCT FOR MTOS, RATHER THAN A PRIVATE LAW FACILITATION CONVENTION OF THE TYPE ACCEPTABLE TO THE US AND OTHER B GROUP COUNTRIES.

5. IN LIGHT OF G-77 POSITION, US ON 1/17 AND 1/18 FIRMLY PRESSED FOR GROUP B AGREEMENT TO A SHORT BUT FIRM PLENARY STATEMENT MAKING CLEAR THAT GROUP B DOES NOT BELIEVE A CONVENTION TO BE INDISPENSIBLE; AND REAFFIRMING B'S STRONG OPPOSITION TO INCLUSION OF PUBLIC LAW. ALTHOUGH ALL B'S AGREED WITH SUBSTANCE OF US PAPER, AND NETHERLANDS SUPPORTED FULLY, MOST ARGUED THAT US PAPER WAS CONFRONTATIONAL AND THAT B NEEDED TO CAREFULLY ASSESS G-77 FLEXIBILITY AND TO STUDY G-77 LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 00333 191621Z

MONDAY STATEMENT NOTED PARA ONE. SCANDINAVIANS, INCLUDING GROUP B CHAIRMAN BLOM, PARTICULARLY STRONG IN OPPOSITION TO US PROPOSAL. UK AND FRG NOTED RELUCTANCE TO MAKE ANY "PROVOCATIVE" STATEMENT BEFORE SATURDAY MEETING ON CODE OF CONDUCT.

6. FOR THE MOMENT, GROUP B HAS AGREED ONLY THAT BLOM (B CHAIRMAN) SHOULD ORALLY PRESENT B'S VIEWS TO G-77 COORDINATOR. SEVERAL DELS, HOWEVER, HAVE INDICATED SUPPORT FOR FOLLOW-UP B STATEMENT LATE THIS WEEK OR MONDAY, JAN 24.

7. DEL SEES NO PROSPECTS OF A SUITABLE CONVENTION EMERGING FROM IPG. WE ARE CONVINCED THAT G-77 IS SERIOUS ABOUT ITS PUBLIC LAW DEMANDS, AND HAS LITTLE INTEREST IN A PRIVATE LAW FACILITATION CONVENTION. WE SEE US OBJECTIVE NOW TO BE TO PREVENT SUCH A CONVENTION FROM COMING ABOUT. FEW (IF ANY) B'S APPEAR TO VIEW THE SITUATION AS CRITICALLY AS DOES US, ALTHOUGH CONCERN IS

SLOWLY INCREASING. GROUP B HAS SHOWN AN INCREASING TENDENCY TO ENGAGE IN DEBATE IN THE WORKING GROUP AND TO COTEST MOVES BY G-77 TO INTRODUCE PUBLIC LAW MATTERS.

8. IDEAL TACTICAL OUTCOME WOULD BE A WALKOUT OF SIGNIFICANT NUMBER OF B GROUP COUNTRIES FROM IPG, BUT WE SEE NO CLEAR PROSPECTS FOR OTHER B'S FOLLOWING U.S. IN WALKING OUT THIS WEEK.

9. US DEL WILL ACCORDINGLY PRESS FOR B AGREEMENT TO MAKE STRONG PLENARY STATEMENT ON LACK OF NEED FOR A CONVENTION AND STATING OPPOSITION TO PUBLIC LAW PROPOSALS, FOR DELIVERY THIS WEEK. IF WE CANNOT GET B GROUP AGREEMENT, DEL PROPOSES TO MAKE STRONG PLENARY STATEMENT ITSELF AND ANNOUNCE THAT IT CANNOT IN GOOD FAITH CONTINUE TO PARTICIPATE IN IPG. DEL WOULD THEN LEAVE GENEVA. THIS ISSUE WILL COME TO A LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 GENEVA 00333 191621Z

HEAD THURSDAY OR FRIDAY, 1/20 OR 1/21.

10. IF ADEQUATE B STATEMENT MADE AND GROUP OF 77 REACTION UNSATISFACTORY, DEL WILL SEEK TO GET OTHER B'S (HOPEFULLY DUTCH, UK, JAPAN AND FRENCH) TO JOIN IN A CONFRONTATION AND A WALKOUT EARLY NEXT WEEK, BUT DEL MAY GO IT ALONE IF NECESSARY.

11. DEL HAS DOUBTS THAT A UNILATERAL US WALKOUT WILL BRING UNCTAD IPG WORK TO A FINAL HALT, ALTHOUGH IT MAY STIFFEN THE SPINES OF OTHER B GROUP COUNTRIES. IPG MAY WELL GO ON AND EVENTUALLY PRODUCE A CODE OF CONDUCT FOR MTOS. NEVERTHELESS, DEL DOES NOT SEE HOW US CAN IN GOOD FAITH CONTINUE IN A NEGOTIATION WHICH IS ON THE SLIPPERY SLOPE TO A WHOLLY UNACCEPTABLE RESULT.

12. ACTION REQUESTED: PROMPT CONCURRENCE IN APPROACH DESCRIBED PARAS 9 AND 10.

13. SUGGEST DEPARTMENT CONSULT DOT (DRISCOLL), MARAD (ARMSTRONG) AND COMMERCE (JOHNSON). CATTO

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MARITIME LAW, INTERMODAL TRANSPORTATION, ORGANIZATION & MANAGEMENT, MEETING PROCEEDINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 19-Jan-1977 12:00:00 am  
**Decaption Date:** 22 May 2009  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977GENEVA00333  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770020-0207  
**Format:** TEL  
**From:** GENEVA  
**Handling Restrictions:**  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770138/aaaabhbv.tel  
**Line Count:** 160  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 37f1a2d4-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** STADIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** STADIS  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 08-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3561936  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** RESUMED THIRD SESSION, UNCTAD IPG ON MULTIMODAL TRANSPORT - REQUEST FOR AUTHORITY FOR US DEL TO WALK OUT  
**TAGS:** EGEN, PORG, SZ, US, UNCTAD  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/37f1a2d4-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009